

Attorney Docket No. 1034170-000032
Application No. 10/591,253
Page 11

REMARKS

In response to the Official Action dated December 22, 2009, the following remarks are submitted.

The aforementioned Official Action indicates that the claims in this application are directed to two different inventions lacking unity of invention. As identified in the Official Action, the two inventions are as follows.

Group I invention recited in Claims 1-4 and 11-16 directed to a package and package sheet material.

Group II invention set forth in Claims 5-10 drawn to a method of making a package.

Based on the observation that the two inventions lack unity of invention, a requirement to elect one of the two claim sets is imposed.

Applicants hereby elect, with traverse, the Group I invention recited in Claims 1-4 and 11-16.

The election is made with traverse because it is believed that all of the claims of this application can be examined at the same time without serious burden. The search required for the elected invention set forth in Claims 1-4 and 11-16 would likely extend into those areas where the non-elected invention would be searched. In addition, examining the claim directed to the non-elected invention in addition to those directed to the elected invention would only involve consideration of a few additional claims.

In light of the foregoing, withdrawal of the holding of lack of unity of invention, and examination of all of the claims of this application, including Claims 1-4 and 11-16 drawn to the elected invention, are respectfully requested.

Attorney Docket No. 1034170-000032
Application No. 10/591,253
Page 12

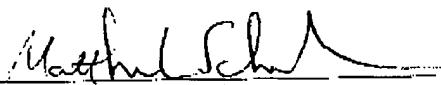
Should any questions arise concerning this application, the undersigned respectfully requests that he be contacted at the number indicated below.

Respectfully submitted,

BUCHANAN INGERSOLL & ROONEY PC

Date: January 22, 2010

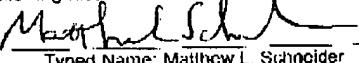
By:


Matthew L. Schneider
Registration No. 32814

Customer No. 21839
703 836 6620

I hereby certify that this correspondence is being submitted by facsimile transmission to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, to the following facsimile number.

Facsimile Number: 571-273-8300


Date of Transmission: January 22, 2010

Typed Name: Matthew L. Schneider

41002627.01